

REMARKS

Applicants' representative would like to thank Examiner Nguyen for the courtesies extended during a telephonic interview on January 20, 2004. During the interview, the Examiner agreed that Kurata (U.S. Pat. No. 6,552,765) does not qualify as prior art under 35 U.S.C. § 102(e). Kurata was filed before November 29, 2000. Pursuant to §371(c)(1), (2) and (4), Kurata has a §102(e) date of November 18, 1999. The present application properly claims priority to PCT Application No. PCT/JP99/01864 filed on April 7, 1999, Japanese Application No. JP 10-096497 filed on April 8, 1998, and Japanese Application No. JP 10-160866 filed on June 9, 1998, each of which was filed before November 18, 1999 (Kurata's §102(e) date). Therefore, Kurata does not qualify as prior art under §102(e).

The Examiner requested an English translation of the earliest-filed application in the priority chain. Applicant is obtaining the translation. Accordingly, a translation of Japanese Application No. JP 10-096497 will be filed shortly. Finally, the Examiner agreed that the only remaining rejection is to Claims 1-3 and 25 under 35 U.S.C. § 102(b).

Claims 1-10 and 14-31 are now pending in the application. Claims 4-10 and 17 have been withdrawn pursuant to the Examiner's restriction requirement mailed August 11, 2003 and Claim 22 has been withdrawn pursuant to the Examiner's restriction requirement in the present Office Action. These claims are now cancelled. By this amendment, Claims 1, 14, 19, 25, and 26 have been amended and Claims 27-31 have been added. The amendment to Claim 25 only

corrects typographical errors. Specifically, the term “form” has been replaced with the term “formed” and the term “transparent electrodes” has been replaced with the term “plurality of reflectors.” The skilled practitioner would have readily recognized these errors and immediately appreciated their corrections. No new matter has been added.

The preceding amendments and the following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained therein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3 and 25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fukuyoshi (U.S. Pat. No. 5,667,853).

Claims 14-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kurata (U.S. Pat. No. 6,552,765).

These rejections are respectfully traversed.

Independent Claim 1 calls for “a plurality of transparent electrodes” being “spaced from each other in a horizontal direction” and formed “above a surface” of a second substrate on the side of a liquid crystal layer. Furthermore, independent Claim 1 calls for the plurality of transparent electrodes “being formed directly on” reflective films, whereby the reflective films are “formed between said plurality of transparent electrodes and said second substrate.” See

Specification at pg. 27, Ins. 15-22 and Fig. 1. Similarly, independent Claim 25 calls for “a plurality of reflectors” formed on a second substrate on a side of a liquid crystal layer. Additionally, Claim 25 calls for “a plurality of transparent electrodes” being “formed on said transparent electrodes.” See Specification at pg. 27, Ins. 15-22 and Fig. 1.

Applicants note that independent Claim 14 similarly calls for “a plurality of reflectors formed on” a second substrate on the side of a liquid crystal layer and “a plurality of transparent electrodes formed on respective ones of said reflectors.” See Specification at pg. 27, Ins. 15-22 and Fig. 1. The Examiner did not reject independent Claim 14 under 35 U.S.C. § 102(b) as being anticipated by Fukuyoshi. Independent Claims 1 and 25 similarly claim a plurality of reflective elements disposed on a substrate and a plurality of transparent electrodes formed on each of the reflective elements. Therefore, Applicants respectfully assert that independent Claims 1 and 25 should similarly be allowable over Fukuyoshi.

Further, the independent claims call for the transparent electrodes to also be formed in at least some part of a space between the plurality of reflective films.

The present invention discloses a plurality of reflective films (116) disposed on a substrate (102). Each of the individual films has an individual transparent electrode (115) disposed thereon. See Fig. 1. In this manner, the present invention discloses forming a plurality of reflective films directly on the

substrate and forming transparent electrodes directly on each of the reflective films. See Fig. 1.

Fukuyoshi fails to teach such a relationship. Rather, Fukuyoshi teaches a conductive film 10 having first and second transparent oxide layers (12 and 13) formed on either side of a silver-based thin layer (11). See Fukuyoshi at Col. 6, Ins. 28-46 and Figs. 1-2. Specifically, Fukuyoshi discloses the first transparent layer (12) being formed directly on the substrate (SUB). See Figs. 1-2. The silver layer (11) is formed directly on the first transparent layer (12) and the second transparent layer (13) is then deposited on the silver layer (11). In other words, the silver layer (11) is disposed between the transparent layers (12, 13) and the entire structure is deposited on the substrate (SUB) such that the first transparent layer (12) is in direct contact with the substrate (SUB). See Fukuyoshi at Col. 4, Ins. 21-28 and Figs. 1-2.

Because Fukuyoshi fails to teach a plurality of reflectors formed on a second substrate having a plurality of transparent electrodes formed thereon, Applicants respectfully submit that Fukuyoshi fails to teach each and every element of the present invention. Accordingly, Applicants respectfully submit that independent Claims 1 and 25, as well as Claims 2-3, respectively dependent therefrom, are in condition for allowance. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurata (U.S. Pat. No. 6,552,765) in view of Kanbe (U.S. Pat. No. 4,682,858).

Claim 19, 21, 24 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurata (U.S. Pat. No. 6,552,765) in view of Flynn (U.S. Pat. No. 5,815,228).

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurata (U.S. Pat. No. 6,552,765) in view of Flynn (U.S. Pat. No. 5,815,228), further in view of Motomura et al. (U.S. Patent No. 6,456,347).

Claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurata (U.S. Pat. No. 6,552,765) in view of Flynn (U.S. Pat. No. 5,815,228), further in view of Kanbe (U.S. Patent No. 4,682,858).

These rejections are respectfully traversed.

Independent Claims 14, 19, and 26 are believed to be in a condition for allowance as Kurata does not qualify as prior art under §102(e). Because Claims 18, 20, 21, 23, and 24 respectively depend from independent Claims 14 and 19, dependant Claims 18, 20, 21, 23, and 24 should similarly be in a condition for allowance for at least the same reasons. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: March 23, 2004

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